

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

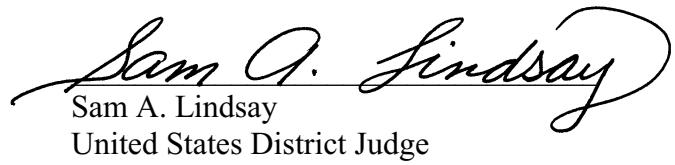
PETER DAVID WINEGARNER, §
§
Plaintiff, §
§
v. § Civil Action No. **3:17-CV-1507-L**
§
KAREN HARTZ, *et al.*, §
§
Defendants. §

ORDER

On January 16, 2018, United States Magistrate Judge David L. Horan entered the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”), recommending that the court grant Defendants’ Motions to Dismiss Under Rule 12(b)(6) (Docs. 9, 10) and dismiss without prejudice Plaintiff’s claims but allow Plaintiff to file an amended complaint. The magistrate judge further recommended that Plaintiff’s Motions for Hearing and to Strike (Docs. 14, 17) be denied. No objections to the Report were filed within the time permitted.

Having reviewed the motions, briefs, pleadings, file, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **grants** Defendants’ Motions to Dismiss (Docs. 9, 10) and **dismisses without prejudice** Plaintiff’s claims but will allow Plaintiff to file an amended complaint by **February 28, 2018**. *Failure to file an amended complaint by February 28, 2018, will result in this action being dismissed with prejudice under Federal Rule of Civil Procedure 12(b)(6).* Further, the court **denies** Plaintiff’s Motions for Hearing and to Strike (Docs. 14, 17).

It is so ordered this 5th day of February, 2018.



Sam A. Lindsay
United States District Judge